

REMARKS

This paper accompanies the Request for Continued Examination (RCE) application filed pursuant to 37 CFR 1.114 for U.S. Patent Application No. 10/092,699, under Final rejection based on an Office Action mailed August 26, 2003.

Reconsideration of the subject application is respectfully requested.

Claims 15 to 17 and 22 to 37 remain in this application. Claims 1-14 and 18-21 have been canceled.

The above pending claims have been rejected based on U.S. Patent No. 6,298,962 issued to Kato et al. ("Kato", herein) either alone or in combination with U.S. Patent No. 6,234,704 issued to Sukigara, et al. ("Sukigara", herein). Kato and Sukigara both teach linkage members having a relief area. The relief area has a structural configuration that facilitates buckling of the linkage member at the relief area upon the presence of sufficient force. Each relief area disclosed by Kato is either linear along its longitudinal axis with a **non-uniform** cross section (See Figs. 1C, 4B, 7A and 12A), or is **non-linear** along its longitudinal axis with a uniform cross-section (See Fig. 6B). The sole embodiment disclosed in Sukigara is likewise linear along its longitudinal axis with a **non-uniform** cross-section, based on whether the cross-section is taken at a furrow-forming portion 34 or material-raising portion 35 (See Figs. 3 and 4).

Thus, none of the prior art of record either discloses or suggests a vehicle linkage member having all of:

a predetermined weakened portion having a cross-sectional configuration that is **not centered on said axis**,

said predetermined weakened portion being **substantially linear**, and

said predetermined weakened portion having a **substantially uniform cross-sectional configuration**.

Applicant notes that the above stated differences between the prior art of record and pending independent claims 15 and 22, as amended, should be allowable based on the Examiner's indication in the Office Action mailed September 26, 2003 that independent claims amended to include the similar, but not identical, limitation of "cylindrical weakened portion" would be allowable.

For the above reasons, Applicant respectfully requests early allowance of the subject application.

CERTIFICATE OF MAILING

I hereby certify that the following mail is being deposited with the U.S. Postal Service, Post Office Addressee via First Class Mail addressed to Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 23, 2004

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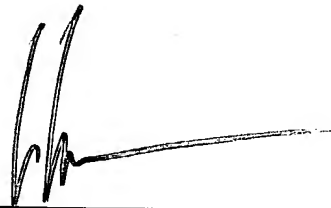
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March 23, 2004

Date

Respectfully submitted,



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